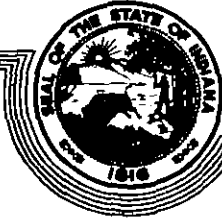


STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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INDIANA BELL TELEPHONE COMPANY,)
INC. d/b/a SBC INDIANA'S PETITION FOR)
ARBITRATION OF INTERCONNECTION)
RATES, TERMS AND CONDITIONS AND)
RELATED ARRANGEMENTS WITH AT&T)
COMMUNICATIONS OF INDIANA, GP)
PURSUANT TO SECTION 252(b) OF THE)
TELECOMMUNICATIONS ACT OF 1996)

CAUSE NO. 40571-INT04

FILED

NOV 18 2004

INDIANA BELL TELEPHONE COMPANY,)
INC. d/b/a SBC INDIANA'S PETITION FOR)
ARBITRATION OF INTERCONNECTION)
RATES, TERMS AND CONDITIONS AND)
RELATED ARRANGEMENTS WITH TCG)
INDIANAPOLIS PURSUANT TO SECTION)
252(b) OF THE TELECOMMUNICATIONS)
ACT OF 1996)

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 40559-INT04

You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

On July 8, 2004, the above-captioned Petition for Arbitration between Indiana Bell Telephone Company, Inc. d/b/a/ SBC Indiana (SBC) and AT&T Communications of Indiana and TCG Indianapolis was filed with the Commission.

The procedural schedule in this Cause has been modified several times. The testimony has been filed along with other documents required by the arbitration panel. The remaining schedule is as follows:

12/03/04 -- Parties file initial briefs and orders.
12/16/04 -- Parties file reply briefs.
01/20/05 --Facilitator issues recommendation to the IURC.
02/16/05 -- IURC issues Order.

The parties were notified by the facilitator that although a hearing was not being held, questions may be forthcoming. Therefore, the parties should expect questions from the arbitration panel throughout the remainder of the schedule. As the questions are issued, the response dates will be given with the questions.

Instructions Regarding Proposed Orders

While it is rare for the Commission to suggest a structure for proposed orders, our need to issue an Order in this Cause in a timely fashion and in keeping with the statutory requirements of TA 96 we find the following suggestions appropriate:

1. Following the standard, introductory components of an order, such as background information, each party need only present a summarization of its own witnesses' testimony and exhibits as well as its recommended Commission decision on a disputed issue or group of disputed issues, leaving the summarization and characterization of the opposing party witnesses' testimony and exhibits to the party sponsoring that evidence.
2. The parties should collaborate and coordinate to develop a consistent organizational and topical outline for the proposed orders, including consistent titles/topics within a consistent numbering scheme for the sections, paragraphs, etc., to be included in the proposed orders.
3. The parties should work to agree on the appropriate grouping of related issues both in the recitation of evidence and the recommended decision portions of their proposed orders. This grouping should, at a minimum, clearly indicate groupings of issues both within and between individual sections or attachments to the agreement (e.g., within Attachment ## and between Attachments ## and **).
4. The parties need to also employ identical methods of citing to authority (e.g. footnotes or endnotes). Proposed orders with topical and organizational consistency will allow the arbitrator facilitator and Commission staff, as well as the parties, to readily compare and contrast proposals regarding the same or related issues or group(s) of issues. In particular, the parties need to include the effective date when citing to the Federal Code of Regulations.

An agreed-upon outline for proposed orders should be filed with the Commission and served on all parties on or before the close of business November 23, 2004. **If the parties fail to file a consistent outline by November 23, or if they file proposed orders inconsistent with the submitted outline for proposed orders the Commission will prescribe the outline for proposed orders and/or require resubmission of proposed order consistent with the same. The Commission also retains the right to extend the procedural schedule if parties do not follow instructions.**

A style of Proposed Order that we will not consider useful is one in which the evidence is summarized in a manner or voice that appears to attribute inflammatory or gratuitously critical language to the Commission. A summary of the testimony of each witness will necessarily include the advocacy of a particular position, but that advocacy should be clearly attributable to the testimony of the witnesses and not to any opinions or alleged statements of the Commission. The place in the

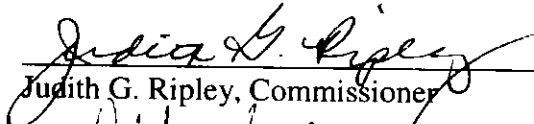
Commission's Orders, and in the parties' Proposed Orders, for the Commission to evaluate and comment on the evidence is in the Discussion and Findings sections for each issue. The requirement (discussed above) that each party refrain from summarizing the other party's positions or evidence should help avoid, or at least limit, these problems.

Lastly with regard to the proposed orders, the parties need not submit separate legal briefs along with their proposed orders. Legal arguments may be incorporated into the proposed orders, and the agreed-upon outline for the proposed orders should clearly indicate proposed formatting and sequencing of the legal arguments within the proposed orders.

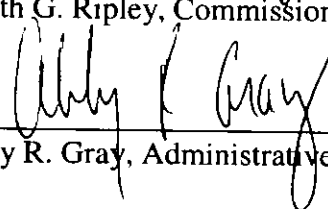
Also, in our October 8, 2004, Docket Entry, the Commission requested, among other things, that the parties provide an index of authorities. We are aware that parties may have cited authorities in rebuttal testimony that are not contained on the CDs of authority provided by the Parties thus far. Thus, the parties should expect further questions in this regard.

Finally, it appears that the DPL and redlined agreement currently on file may not accurately reflect the current list of disputed issues, or coincide with the issues addressed in testimony. The arbitration panel is reviewing the documents and if they are found to be insufficient, the parties should expect further direction and a requirement to refile those documents.

IT IS SO ORDERED.



Judith G. Ripley, Commissioner



Abby R. Gray, Administrative Law Judge

Date: November 18, 2004